HON'BLE SHRI G.S. SINGHVI, THE CHIEF JUSTICE

AND

HON'BLE SHRI JUSTICE C.V. NAGARJUNA REDDY

Writ Petition No.21928 of 2006

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Between:

Mittapally Sudershan and another

……Petitioners

And

The Consumer Disputes Redressal District Consumer Forum,
At Karimnagar and another

……Respondents

:: ORDER ::

Counsel for the Petitioners : Shri A.Ravinder

October 23, 2006

Per G.S. SINGHVI, CJ

This petition is directed against order dated 25-04-2006, vide which District Consumer Disputes Redressal Forum, Karimnagar (for short, 'the District Forum') allowed the complaint filed by respondent No.2 Banka Anuradha and directed the petitioners to pay the maturity amount in lieu of seven Fixed Deposit Certificates of Rs.5,000/- each and also pay interest at the rate of 9% with costs of Rs.500/-.

We have heard Shri A. Ravinder and perused the record. After arguing the case for some time, learned counsel for the petitioners made a request that his clients may be permitted to withdraw the writ petition with liberty to avail the remedy of appeal under Section 15 of the Consumer Protection Act, 1986 (for short, 'the Act').

In our opinion, the request made by the learned counsel is reasonable and merits acceptance. Hence, the writ petition is dismissed as withdrawn with liberty in terms of the prayer made.

As a sequel to dismissal of the writ petition as withdrawn, WPMP No.27809 of 2006 filed by the petitioners for interim relief is also dismissed.

Before parting with the order, we deem it proper to mention that if the learned counsel had not sought withdrawal of the writ petition, we would have dismissed the same by relying on order dated 13-07-2006 passed in Writ Petition No.14183 of 2006, **Katipalli Narasimha Reddy v. Andhra Pradesh State Consumer Disputes Redressal Commission and others**, wherein this Court held that the provisions contained in the Andhra Pradesh Protection of Depositors and Financial Establishments Act, 1999 do not operate as a bar to the entertaining of complaint filed under Section 12 of the Act.

At this stage, learned counsel for the petitioners made a request that the Registry may be directed to return certified copy of the order passed by the District Forum. The request of the learned counsel is

accepted and the Registry is directed to return the certified copy of order dated 25-04-2006 passed by the District Forum in C.D No.159 of 2004, provided that a typed copy thereof is filed by the learned counsel.

G.S.SINGHVI, CJ

C.V.NAGARJUNA REDDY, J

23-10-2006
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